



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

March 12, 2015

MICHAEL F. MULHALL, TREASURER  
DIAGEO NORTH AMERICA, INC. EMPLOYEES'  
POLITICAL PARTICIPATION COMMITTEE  
801 MAIN AVENUE  
NORWALK, CT 06851

**Response Due Date**  
**04/16/2015**

IDENTIFICATION NUMBER: C00034470

REFERENCE: YEAR-END REPORT (11/25/2014 - 12/31/2014)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

**1.** Schedule B supporting Line 23 discloses one or more contributions to a candidate(s) for the 2014 General election; however, the funds were disbursed after the election date(s) (see attached). Please note that contributions may not be designated for an election which has already occurred unless the funds are to be used to reduce a candidate committee's debts incurred during that election campaign. (11 CFR §§110.1(b)(3) and 110.2(b)(3))

If any apparently impermissible contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information. If the contribution(s) in question should have been designated for debt retirement, you should amend your report to indicate "debt retirement," along with the year of election.

If you have made an impermissible contribution, you must request a refund or provide a written authorization for a redesignation of the contribution pursuant to 11 CFR §110.2(b) within 60 days of the treasurer's receipt.

If the foregoing conditions for redesignations were not met within 60 days of the treasurer's receipt, your committee must obtain a refund. (11 CFR §103.3(b)(1) and (3))

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Please inform the Commission of your corrective action promptly in writing and provide a photocopy of the refund or redesignation request sent to the recipient committee(s). In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received. Any redesignations should be disclosed as memo entries on Schedule B supporting Line 23 of the report covering the period during which the redesignation is made. (11 CFR §110.1(b))

Although the Commission may take further legal action regarding this impermissible activity, your prompt action in obtaining a refund and/or redesignating the contribution(s) will be taken into consideration.

2. Schedule B of your report discloses a total of \$8,562.06 in payments to your connected organization for "In Kind-Catering/Site Rental-See memos." Please be advised that 52 U.S.C. §30118 (formerly 2 U.S.C. §441b) prohibits a corporation or labor organization from contributing funds for the purpose of influencing any federal election; however, a connected organization may pay for the solicitation and administrative costs of its separate segregated fund. Further, 11 CFR §114.2(f) prohibits corporations and labor organizations from facilitating the making of contributions to candidates or political committees, other than to the separate segregated funds of the corporations and labor organizations. Facilitation means using corporate or labor organization resources or facilities to engage in fundraising activities in connection with any federal election. The use of corporate or labor organization resources in connection with a fundraiser may be permissible for certain fundraising activities only if the corporation or labor organization receives advance payment for the fair market value of such services. (11 CFR §114.2(f)(2)(i)(A), (C) and (E))

Please amend your report to clarify whether the payment to your connected organization was intended to influence federal elections and provide the dates of the activity conducted by your connected organization. In addition, please clarify whether your committee made advance payment for these services to your connected organization. Although the Commission may take further legal action concerning this matter, your prompt action will be taken into consideration.

**Please note, you will not receive an additional notice from the Commission on this matter.** Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action

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will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1177.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Jones', with a stylized flourish at the end.

Brian Jones  
Sr. Campaign Finance & Reviewing Analyst  
Reports Analysis Division

**Impermissible Contributions****Diageo North America, Inc. Employees' Political Participation Committee (C00034470)****Contributions Made After Election Date**

<b>Recipient Name</b>	<b>Date</b>	<b>Amount</b>	<b>Election Date</b>
AL FRANKEN FOR SENATE 2014	12/24/14	\$354.50	11/4/2014
BILLY LONG FOR CONGRESS	12/24/14	\$633.37	11/4/2014
JIM HIMES FOR CONGRESS	12/24/14	\$831.78	11/4/2014
KLINE FOR CONGRESS	12/24/14	\$675.38	11/4/2014
LARSON FOR CONGRESS	12/24/14	\$646.71	11/4/2014
LOIS FRANKEL FOR CONGRESS	12/24/14	\$303.74	11/4/2014
MIKE KELLY FOR CONGRESS	12/24/14	\$481.05	11/4/2014
MOULTON FOR CONGRESS	12/24/14	\$330.95	11/4/2014
PASCRELL FOR CONGRESS	12/24/14	\$521.23	11/4/2014
PETERS FOR MICHIGAN	12/24/14	\$685.23	11/4/2014
RANDY HULTGREN FOR CONGRESS	12/24/14	\$307.59	11/4/2014
SCALISE FOR CONGRESS	12/24/14	\$105.61	11/4/2014
SEAN PATRICK MALONEY FOR CONGRESS	12/24/14	\$347.04	11/4/2014
STEVE DAINES FOR MONTANA	12/24/14	\$429.02	11/4/2014
TERRI SEWELL FOR CONGRESS	12/24/14	\$307.83	11/4/2014
UPTON FOR ALL OF US	12/24/14	\$382.60	11/4/2014